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COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 8 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Written statement* submitted by the Federation of Associations for the Defence and Promotion of Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 January 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. *0020107 88*

ENG

PALESTINE BEFORE THE INTERNATIONAL COMMUNITY

In March 2001, the *Federation of Associations for the Defense and Promotion of Human Rights* presented in this forum the paper *The Palestinian Question and the United Nations* in which an appeal was made from the civil society so that the international community would put into action the mechanisms to guarantee the compliance of the United Nations Security Council and General Assembly's resolutions on Palestine and for the United Nations to be the framework in which the endorsed agreements between Palestinians and Israelis are to be implemented.

Fifty-three years have gone by since the establishment of the State of Israel and fifty-two since it was admitted in the United Nations. When it was admitted in 1949, the representative of Israel stated that the new state was peace loving and would respect all United Nations resolutions, in particular those concerning respect for human rights. We have seen for over half a century not only how Israel has shown no respect nor implemented those resolutions but how Israel has systematically violated these as well , besides endangering peace and security throughout the Middle East and the whole Mediterranean.

Since its creation, the State of Israel:

- Has mass destruction and nuclear weapons, refusing to sign the No Proliferation Treaty.
- Has used weapons forbidden by the international community against the Palestinian civil population under Israeli military occupation.
- Has attacked sovereign Mediterranean states such as Lebanon and Tunisia.
- Has systematically violated the Fourth Geneva Convention on the protection of civil population under military occupation:

    - It has destroyed towns and villages and expelled civilians from the occupied territories, turning them into refugees with no right to return.

    - It has built illegal settlements and moved civilians from the occupying power to occupied territories.

    - It has committed war crimes such as deportations and extrajudicial assassinations of Palestinians.

    - It has locked the civil population under occupation up in what can be referred to as concentration camps that has led to the destruction of the infrastructures and the economy of the Palestinian society.

    - It has raided Palestinian populations and plundered their natural resources.

    - It has imposed collective punishments against the civil population such as massive house demolitions and destruction of farmland.

As a result of the fall of the Berlin Wall and the convening of the Madrid Conference it was expected that the United Nations would have an effective role and would put into action the mechanisms for the compliance by Israel of United Nations resolutions as well as taking forceful and strict measures with the occupying force as we have seen it do so in other areas of the world. Unfortunately, this has not taken place and as a result, the situation in the Middle East has progressively deteriorated leading to the dead end we are witnessing today.

Following the dramatic attacks against the United States on September 11 2001 and the measures taken by the international community regarding terrorism, the international political leaders, headed by President George Bush and the European Union, through Tony Blair and

José María Aznar, admitted the repressive means used by the occupation in order to achieve its political and ideological aims when they publicly stated the need to put into action the mechanisms for the establishment of the independent State of Palestine. In keeping with this statement, the *Federation* considers that the time has come for the international community to definitely take charge of their responsibility, in particular the United Nations, and restore the Palestinians' legitimate inalienable rights helping them to achieve their aspirations of freedom and independence. Governments, politicians and citizens of the world are aware that the only obstacle for peace and security in the Middle East is Israel, represented by its present Prime Minister, Ariel Sharon.

The road to peace is being long and painful and the Palestinian civil population has been suffering the occupying power's barbarism for 53 years, being this last year one of the most dramatic. In order to assure the integrity of the Palestinian People, the United Nations has the moral and political obligation to deploy an international protection force to protect the civil population from the Israeli occupying forces aggressions.

For all the aforementioned, the *Federation of Associations for the Defence and Promotion of Human Rights* reaffirms its conviction that for the achievement of a global and lasting peace in the Middle East it is essential that:

- The United Nations puts into action the mechanisms to guarantee the compliance of the UN Security Council and General Assembly's resolutions on Palestine, in particular Security Council's resolutions 242 and 338.
- The compliance of such resolutions entails the end of the Israeli military occupation over the West Bank, including East Jerusalem, and the Gaza Strip, as well as a just solution for the Palestinian refugees as stated in the General Assembly's resolution 194.
- The end of the military occupation implies the recognition of the Palestinian People's legitimate inalienable rights with the establishment of the independent State of Palestine.

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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: FREEDOM OF EXPRESSION

Written statement* submitted by the Reporters sans frontières international, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 January 2002]

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GE. *200201079 1*

ENG

Cuba: The state maintains its monopoly on information

The release of two journalists from prison in 2001 did not herald a softening of the government's attitude towards the media, which is subtly but effectively repressed so as to maintain the state's monopoly control of information. The activity of independent journalists, including foreign press correspondents, is closely monitored.

Two journalists were freed early in 2001 – **Jesús Joel Díaz Hernández,** who had served half his sentence, and **Manuel Antonio González Castellanos,** a few weeks before he was due to be released. There is now only one journalist imprisoned in Cuba, **Bernardo Arévalo Padrón.**

But the regime is not really moving towards press freedom. Since the Constitution says that "under no circumstances" can the media be privately-owned, the state still has a complete monopoly on information. To protect its image, President Fidel Castro's government has instead chosen the way of indirect but just as effective repression of independent journalists, who it regards as "counter-revolutionaries." Interrogations of journalists fell slightly in 2001 to 29 (from the previous year's 39) but incidents of harassment rose sharply to around 100 (from 70 in 2000). The State Security Department (DES), which is part of the interior ministry, remains the chief agent of the repression. The year saw an increase in summonses of journalists, who were questioned and usually threatened with imprisonment or prosecution. Pressure was also exerted on their families. A nursery refused a place to the daughter of **Pablo Pacheco Ávila,** of the *Cooperativa Avileña de Periodistas Independientes.* The authorities also intercepted mail, tapped phones, organised mysterious physical attacks and visited people's homes to obstruct the work of independent journalists or persuade them to go into exile abroad. When they did get visas for foreign countries, the authorities tried to extract information from them about dissidents in exchange for granting the required exit visa.

The government also tried to squash any attempt by independent journalists to organise. The Manuel Márquez Sterling Association, set up in 2001, was prevented from giving journalism courses to about 40 of its members. But independent journalists still tried to exercise their right to inform and faxed or phoned their articles to members of the Cuban exile community who put them on Internet websites. This was tolerated by the government since it did not threaten its monopoly on news reaching the isolated mass of ordinary Cubans.
Cubans were not just "protected" from independent journalists. As part of the campaign against "ideological deviance," further action was taken during the year to remove from house roofs satellite dishes able to pick up foreign TV stations. Reception of foreign radio stations was also jammed. In January, a fierce campaign was launched in the government media against **Pascal Fletcher,** a reporter for *Reuters* news agency, after he wrote a report of a controversial parade organised by the Spanish embassy. President Castro accused "certain journalists" of asking to be punished with "expulsion" and called on their agencies to show "common sense." Two months later, Fletcher was transferred to a post in Caracas. The incident was seen as a warning to resident foreign journalists at a time when the US Tribune Co. media group and *The Dallas Morning News* were opening a bureau in Havana. **Earl Maucker,** one of the Tribune Co. editors, said the opening of the bureau had taken 10 years of negotiations with the Cuban government.

The control of information extends to the Internet, to which access is strictly regulated. Those who use it must agree to respect "the moral values of Cuban society and the country's laws" and only foreign companies and government institutions normally have access. But in September 2001, four post offices in Havana began allowing Cubans to have their own e-mail address and access to the Internet. But access is limited to government-approved websites known as the "Intranet." All state media – radio, TV and newspapers – put out news approved beforehand by the Department of Revolutionary Orientation. The code of conduct for journalists says they

must "contribute to the promotion of the constant improvement of our socialist society." Unusually, two state-media journalists went into exile abroad in 2001. The case of one of them, **Guillermo Morales Catá,** who had fallen out of favour after criticising government censorship of an official demonstration, showed the impossibility of reforming the regime from within.

Because of the serious situation in Cuba, President Castro is on Reporters sans Frontières' worldwide list of 39 "predators of press freedom."

Journalist jailed

The authorities twice refused requests (in April and February 2001) for the release on parole of **Bernardo Arévalo Padrón,** founder of the independent news agency *Linea Sur Press* in Aguada de Pasajeros, although normally he should have been granted it in October 2000 after completing half his sentence. He was said to be not yet "politically re-educated." He was accused of not following President Castro's televised speeches. He had been sentenced on appeal on 28 November 1997 to six years imprisonment for "insulting" the president and Vice-President Carlos Lage. He told a Miami radio station that the two leaders were "liars" for not respecting the democratic principles laid down by an earlier Ibero-American summit. Arévalo Padrón was beaten up by two state security officials in Ariza prison on 11 April 1998. He was transferred to the Medios Propios work camp in Cienfuegos province on 15 May 1999 and then to others where he was made to do weeding and cut sugar-cane. He has since suffered back and heart problems. He wrote a letter in June 2001 to journalist and poet Raúl Rivero describing the El Diamante camp where he was being held as a "concentration camp" plagued by "promiscuity, rats, humiliation, prostitution and lack of drinking water."

Pressure and obstruction

In March 2001, **Pascal Fletcher,** a Havana reporter for *Reuters* news agency and the British newspaper *The Financial Times,* left Cuba for a new post in Caracas, two months after being the target of a fierce campaign in the official media. On 6 January, the daily paper *Granma* had accused of him of trying to "poison the Cuban Revolution" and said he had "close ties with the US Interests Section" office in Havana. Three days later, he was attacked on television for having a "provocative, biased and treacherous attitude" after writing a story about a controversial parade organised by the Spanish embassy. These attacks were taken by all foreign correspondents in Cuba as a warning.

President Castro charged in a televised speech on the night of 17-18 January that "some agencies" were "not being at all impartial" and criticised "some of their employees" (who he did not name) for "defaming the Revolution." He accused them of asking to be punished with "expulsion," but said he preferred that "the agencies themselves show enough common sense to call them to account."

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GE. * 2 0 0 2 0 1 0 7 9 5 *

ENG

Haiti: Attacks increase in a context of impunity

Press freedom sharply declined in 2001, with a growing number of journalists threatened or attacked by supporters of President Jean-Bertrand Aristide. One was killed by these militants but as in the case of the murdered radio journalist Jean Dominique, the killers have benefited from the inaction of the authorities.

The year began with a call by two people close to President Jean-Bertrand Aristide for the murder of two journalists and ended with the actual killing of another on December 3, when **Brignol Lindor,** news editor at *Radio Echo 2000,* was murdered a few days after a member of Aristide's Fanmi Lavalas party had implicitly called for his demise. Between these two events, press freedom steadily deteriorated. It got notably worse in August after an attack on the police training school by a group of former soldiers, which the government of President Aristide, who took office again as president on February 7, saw as an attempted coup d'etat.

Nearly 40 journalists were threatened or attacked during the year, mostly by police or Fanmi Lavalas supporters who accused them of working for the opposition. The government rarely condemned such attacks and the lack of serious investigation into them suggests that the systematic attempt to associate the media with the opposition, so as to justify the attacks, may have originated at the highest level. The murder of Lindor further increased the tense situation and was taken by the rest of the media as a warning. A dozen journalists were obliged to go into exile abroad after being threatened by armed Aristide supporters who took to the streets on December 17, when there was another apparent attempt to overthrow the government. The uncertain situation led four radio stations to stop broadcasting and several opposition premises were burned down by Fanmi Lavalas supporters.

After the coup's failure, President Aristide reiterated his commitment to press freedom. A few hours later however, *Radio Ti Moun,* which is funded by Aristide's Foundation for Democracy, accused "some of the media" of having "psychologically prepared people for a coup d'etat." The following week, as he was presenting his seasonal greetings, the president warned journalists "not to tell lies."

The year also saw the continued failure of efforts to punish anyone for the murder of **Jean Dominique,** the owner of *Radio Haïti Inter.* Despite government statements, virtually all state bodies obstructed the enquiry into the killing. The justice ministry failed to seriously ensure the security of the investigating judge, despite threats to him. The police refused to execute arrest warrants and police officers were suspected of having turned over a major suspect to a crowd of demonstrators who chopped him to death.

The Senate rejected the idea that one of its members, Dany Toussaint, was the main suspect in the killing. Only a campaign by Haitian civil society groups and the international community prevented the case from being shelved. The same practice of impunity was also seen in the Lindor killing. Members of a group close to Fanmi Lavalas admitted murdering Lindor but by the end of the year none of them had been arrested.

Journalist killed

Brignol Lindor, news editor of *Radio Echo 2000,* a private station in the town of Petit-Goâve (68 km southwest of Port-au-Prince) was stoned and chopped to death on 3 December 2000. He had received threats after opposition politicians had been guests on his regular radio programme "Dialogue." On November 30, one of the town's deputy mayors, Dumay Bony (Fanmi Lavalas), called for "zero tolerance" to be applied to several opposition members and

mentioned Lindor's name among them. "Zero tolerance" is President Aristide's policy giving a free hand to police to deal on the spot with criminals caught in the act. Human rights organisations say this has led to summary executions by the police and lynchings by members of the public. Lindor's brother strongly denied that the journalist belonged to the opposition and it was noted that Lindor also had pro-government figures on his programme.

An investigation by the Haitian Journalists' Association (AJH) disclosed that members of the grassroots organisation Domi Nan Bwa, which is linked to Fanmi Lavalas, admitted killing Lindor. They told the AJH they had killed him "not as a journalist but as a member of the opposition" and had acted to avenge an attack earlier in the day by presumed opposition members on Joseph Céus Duverger, the leader of Domi Nan Bwa. The first target of the militants was Love Augustin, who said the crowd lost interest in him as soon as they saw Lindor in his vehicle and shouted "There's Lindor, who Dumay says deserves zero tolerance!" Emmanuel Clédanor, a former journalist for *Radio Plus*, was with Lindor and managed to escape.

The local court in Petit-Goâve issued twenty arrest warrants against Domi Nan Bwa and deputy mayor Bony after receiving the AJH's report on the killing, but by year-end none had been carried out. Several opposition supporters suspected of involvement in the attack on Duverger were harassed however.

New information on journalists killed before 2001

The enquiry into the murder of *Radio Haïti Inter* owner **Jean Dominique** ran into many obstacles in 2001. The investigating judge, Claudy Gassant, was threatened several times by armed state officials, including Millien Rommage, a Fanmi Lavalas member of the Chamber of Deputies, police commissioner Evens Saintune and members of the presidential palace security service. Judge Gassant frequently criticised justice minister Gary Lissade for failing to provide him with proper protection. The dispute between the two men at one point caused the judge to resign, but he returned to his post a few days later after local and foreign pressure.

The investigation identified a Fanmi Lavalas senator, Dany Toussaint, as the main suspect in the murder, but the Senate several times blocked moves to involve him in the enquiry. The first time was in January, when the judge simply wanted to question him. Then in August, the Senate refused to vote on whether Toussaint's parliamentary immunity should be lifted. Toussaint's supporters staged several demonstrations to denounce a "conspiracy" against him and called for Judge Gassant's own arrest. At the same time, the senator's lawyers mounted a procedural offensive to slow down the legal process. They brought six lawsuits before four different courts – civil, summary, appeal and supreme. Five of the suits were based on allegedly illegal questioning of several people being held in connection with the case.
On 28 September, Paul Raymond and René Civil, two leaders of grassroots organisations with ties to Fanmi Lavalas, were able to hold a press conference despite the fact that Judge Gassant had issued a warrant for their arrest. A few days later, it was learned that the police had given no orders to execute warrants for the arrest of Richard "Cha Cha" Salomon, Toussaint's "right-hand man," and Franck Joseph, Toussaint's bodyguard, both of them accused of involvement in Dominique's murder. On 9 November, Panel Rénélus, a major suspect in the case, was killed by a crowd of demonstrators in the presence of Judge Gassant the day after he had been arrested. Gassant said Rénélus had been "handed over to the crowd by the police."

In December, Raymond and Civil finally answered the judge's summons for questioning after President Aristide had spoken to their lawyer. By the end of the year, the Senate had still not acted on Gassant's request for Toussaint's immunity to be lifted. As each new obstacle to the investigation arose, civil society organisations and *Radio Haiti Inter*, run by **Michèle Montas**,

Dominique's widow, demanded that state bodies do their duty and not hamper the enquiry. Dominique, Haiti's best known journalist and political commentator, was killed on 3 April 2000 in the courtyard of his radio station. The station's gatekeeper, Jean-Claude Louissant, was also killed in the attack.

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ENG

IRAN

On 1 January 2002 Iran had the sad record of being the biggest jail for journalists in the Middle East, with 18 media professionals behind bars (almost twice as many as in 2000). After their February 2000 defeat in the parliamentary elections, the conservatives launched a large scale offensive against the media. The consequences are serious: over 50 publications have been closed down (e.g. *Asr-é-Azadegan*, *Fath* and *Iran-é-Farda*) and dozens of journalists charged for "anti-Islamic propaganda", "spreading false news" and "insulting Islam", among other things.

In June 2001 the wife of a jailed journalist said that these arrests were "illegal" and that the prisoners had had "no opportunity to defend themselves". Apart from the arbitrary nature of these cases of detention, ordered by Judge Mortazavi, president of Court 1410, the so-called "press court", many friends and members of the families of detainees have also complained about conditions of detention: solitary confinement, lack of health care, visits forbidden, psychological pressure, etc.

During the past few years Iranians and particularly the youth have discovered satellite TV and the Internet. There again, government hardliners have not hesitated to take drastic action. In May, 400 cybercafés were closed down in Tehran. In October at least 1,000 satellite dishes (theoretically forbidden) were confiscated.

Eighteen journalists behind bars

On 27 November 1999 **Abdollah Nouri**, director of the daily *Khordad*, was arrested. The special religious court sentenced him on the same day to five years in jail and a fine of 15 million rials (about 8,000 euros). Abdollah Nouri was found guilty on 15 counts, including "anti-religious propaganda", "insults against Imam Khomeyni", "destabilising public opinion" and "relations with the United States".

On 22 April 2000 **Akbar Ganji**, journalist with the daily *Sobh-é-Emrouz*, was arrested at the end of a press court hearing. The journalist was charged for his disclosures on murders of opponents and intellectuals in late 1998, and for his articles in favour of Ayatollah Hossein-Ali Montazeri. He was also accused of participating in the Berlin conference on reform in Iran, judged anti-Islamic by the country's authorities. On 13 January he was sentenced to ten years in jail. In May his sentence was reduced to six months, on appeal. But on 15 July the supreme court quashed that decision, under the pretext of irregularities in the appeal procedure, and sentenced him to six years' imprisonment.

Khalil Rostamkhani, journalist with the *Daily News* and *Iran Echo*, was arrested on 8 May 2000. He appeared on 9 November before the Tehran revolutionary court. The prosecutor accused him mainly of being a "mohareb" (fighter against God). The journalist was released on bail on 16 November. On 13 January 2001 he was sentenced to nine years in jail. He remained free until 25 August when he was sentenced, on appeal, to eight years' imprisonment. On 11 October he was transferred from Evine jail in Tehran to the Bandar Abbas prison.

On 29 May 2000 **Emadoldin Baghi**, journalist with the daily *Fath*, was arrested after a trial in the press court. He was sentenced on 17 July to five and a half years in jail for "breach of state security" and "spreading false news". The journalist was accused of defending a modern view of Islam as regards the death sentence, in an editorial in *Neshat* in September 1999.
The director of *Iran-é-Farda*, **Ezatollah Sahabi**, was arrested on 26 June 2000 on orders from the Tehran revolutionary court following his participation in the Berlin conference. He was released on bail on 21 August but arrested again on 17 December and accused of "anti-government propaganda". On 13 January 2001 he was sentenced to four and a half years in jail. After visiting him in jail in February, his family said they were "shocked" by the physical and psychological state of the 75-year-old journalist, who was not even able to recognise them. In December his sentence was reduced to six months.

Hassan Youssefi Echkevari, theologian and contributor to the monthly *Iran-é-Farda*, was incarcerated in Evine jail in Tehran on 5 August 2000 after participating in the Berlin conference in April. During his trial in camera in the special religious court, in October, he was accused above all of "subversive activities against national security" and of being a "mohareb" (fighter against God). On 1 January 2002 the verdict had still not been made public.

Hoda Saber, one of the editors of the banned magazine *Iran-é-Farda*, was detained on 28 January 2001. In July his sister, Firouzeh Saber, was detained for a few days for "refusing to collaborate" with the judicial authorities.

During a search on 11 March 2001 at the home of Mohammad Bastehnaghar (one of the leaders of the progressive opposition and journalist with *Asr-é-Azadegan*), **Taghi Rahmani** from the banned weekly *Omid-é-Zangan*, Hossin Rafaï and **Saide Madani** from *Iran-é-Farda* (a suspended monthly), Ali-Reza Redjaï of *Asr-é-Azadegan*, Morteza Khazemian and **Reza Raïs-Toussi** from *Fath* (a suspended daily) and Mohammad Bastehnaghar, were all arrested. According to the president of the Tehran revolutionary courts, they "were plotting against the Islamic government". Hossin Rafaï, Ali-Reza Redjaï, Morteza Khazemian and Mohammad Bastehnaghar were released but Taghi Rahmani, Saide Madani and Reza Raïs-Toussi are still behind bars.

On 7 April **Reza Tehrani**, editor-in-chief of the magazine *Kian* (suspended) and Fazlollah Salavati, editor-in-chief of the Ispahan weekly *Navid-é-Esfahan* (suspended), were arrested for "collaborating with counter-revolutionary groups". These persons were all close to the Movement for the Liberation of Iran (MLI), a progressive Islamist party, banned in March. On 17 April Fazlollah Salavati was released on bail. Reza Tehrani is still in jail.

On 9 May **Hamid Jafari-Nasrabadi** and **Mahmoud Mojdayi**, respectively editor and journalist with the student magazine *Kavir*, were detained in Tehran after being questioned for several hours by a judge of the press court. They were accused of writing an article judged "blasphemous" and "indecent". The court also ordered the suspension of the magazine.

On 25 June **Ali Fallah** and **Babak Ghani-Pour**, members of the editorial staff of the magazine *Arman* published at Yazd University in central Iran, were arrested following "complaints by several cultural and Islamic associations" in the same university.

On 10 November **Issa Khandan**, head of the society section of the two dailies *Khordad* and *Fath* was arrested on order of the clerical court. His wife has stated that she does not know the reasons for his arrest.

On 24 November **Siamak Pourzand**, who worked with Iranian radio stations based in the United States, was arrested. His arrest could be related to his position as director of the Majmue-ye Farrhangi-ye Honari-ye Tehran, the Tehran cultural centre where he received artists, intellectuals and writers. The journalist is known for his articles hostile to the Islamist regime.

On 31 December 2001 **Ahmad Gabel** was arrested by order of the special clerical court. As a journalist for *Hayat-é-No*, Ahmad Gabel also wrote editorials in many reformist publications and regularly gave interviews to foreign radio stations. He is known for being very critical of the conservative camp and particularly Ali Khamenei, the Guide of the Islamic republic.

The trial of ten journalists opened on 8 January 2002. Reza Alijani, Ezatollah Sahabi, Hoda Saber, Saide Madani (*Iran-é-Farda*), Taghi Rahmani (*Omid-é-Zangan*), Ali-Reza Redjaï, Mohammad Bastehnaghar (*Asr-é-Azadegan*), Reza Raïs-Toussi, Morteza Kazemian (*Fath*) and Ahmad Zeid-Abadi (*Hamshari*) are accused of "subversive activities against the state" and of "blasphemy", charges liable to the death sentence. Among these journalists, Reza Alijani, Reporters Sans

Frontières–Fondation de France prize-winner in 2001, spent 295 days in prison. On 24 February 2001 the editor-in-chief of the suspended monthly *Iran-é-Farda* was arrested by security agents and then jailed on orders from the revolutionary court, without any explanation. He was released on bail on 16 December 2001.

Hundreds of cybercafés closed

In the period from 8 to 13 May 2001, about 400 cybercafés were closed in Tehran. The Iranian authorities gave cybercafés an ultimatum to obtain a "work permit and Internet operating licence" as soon as possible. Those who did not have approval from the Union of administrative machines and computers (a conservative-run body) could be forced to close down. After the election of Mohammed Khatami as president of the Islamic republic in 1997, hundreds of cybercafés opened in Tehran.

Hundreds of satellite dishes confiscated

In late October 2001 at least 1,000 satellite dishes were confiscated and 70 people arrested either for owning one or for installing them. These measures were intended to prevent access to foreign channels, especially opposition channels based in the United States. The latter reportedly broadcast pictures of demonstrations following football matches, which allegedly worsened the violence of the participants. In 1995 the Iranian parliament passed a law prohibiting satellite dishes with a view to "cleansing" Iran of Western influences. This law is not, however, strictly observed. Iranians hide their satellite dishes under canvas covers or disguise them in air conditioning systems.

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ISRAEL: Case study of 45 journalists injured by bullets from September 2000

The fifteen months of violence between the Israeli army and the Palestinians has taken a heavy toll: over one thousand deaths (roughly 800 Palestinians and 200 Israelis). In this type of context, journalists' working conditions are very difficult. Since the beginning of the second Intifada on 29 September 2000, 45 cases of journalists injured by bullets have been recorded by Reporters Sans Frontières. In the majority of cases the organisation has imputed the responsibility to the Israeli army and has asked it to expedite its inquiries. In mid-December 2001 the Israeli defence minister informed RSF of the results of its inquiries. Only nine cases of journalists were mentioned in the document which exonerated Tsahal, with one exception.

Palestinian journalists, who constitute the majority of those injured, have been finding it increasingly difficult to move about between the different territories. At the end of the year the Israeli authorities considered no longer renewing the press cards of Palestinian correspondents of the foreign press, and rather issuing them with "orange" cards which would limit their movements even more. At the same time, Tel Aviv made public its plan to create an Arabic television channel to counter the "propaganda" of Arab and especially Palestinian media.

Throughout the year a part of the Israeli press, despite its professionalism, has on occasion acted as an army mouthpiece, using the same vocabulary as Tsahal.

Eight journalists injured by gunshot

On 9 February 2001 **Laurent van der Stockt**, photographer with *Gamma*, was covering demonstrations by Palestinian youths in Ramallah when he was hit in the knee by a real bullet. The youths were throwing stones at the soldiers who retaliated with rubber-covered bullets and tear gas. The photographer was taken to a Jerusalem hospital and then repatriated to France. He was confined to bed for three months and is still suffering from serious after-effects.

On the same day and in the same place, **Rebhi Ahmad Mohammed al-Kobari**, a Palestinian cameraman working for the Palestinian television channel *al-Sharq* in Ramallah, was injured in the left knee by shrapnel after the Israeli army opened fire on demonstrators. Apart from his camera, the journalist was wearing a cap clearly marked "TV".

On 23 March **Ahmed Zaki**, Palestinian correspondent for *Oman Satellite Television*, was hit in the knee by an unidentified projectile while covering clashes at the entry to Ramallah.

On 14 April **Zakaria Abu Harbeid**, journalist with the local news agency *Ramatan*, was wounded at Khan Younis in Gaza while taking photos of Israeli soldiers shooting at Palestinians. He was hit in the hand and hospitalised for several days.

On 20 April **Laïla Odeh**, Jerusalem correspondent for the United Arab Emirates channel *Abou Dhabi TV*, was interviewing people whose houses had been destroyed by Israeli raids, in the Rafah area. As the journalist and his crew were about to leave, Israeli soldiers shot in their direction. The journalist was hit in the thigh by a real bullet and taken to the Al Shifa hospital in Gaza. According to him, the soldiers deliberately aimed at him. The report made public on 18 December by the Israeli army indicated that an additional "action-inquiry" may be launched.

On 15 May **Bertrand Aguirre**, correspondent for the French channel *TF1*, was injured while covering clashes between the Israeli army and Palestinian demonstrators in Ramallah. A bullet hit the journalist's bullet-proof jacket and he was taken to the Ramallah hospital to be examined. In September the journalist was informed that the inquiry had been closed. To justify this decision, Fran Shangar, director of the police internal affairs bureau, explained: "After examining the file, I have decided not to prosecute the policeman due to a lack of evidence". Yet three different television teams all filmed the scene. The films clearly show an Israeli border guard get out of his vehicle, calmly take aim and, with his cigarette between his lips, open fire with real bullets, at a distance of about 100 meters.

On 6 July, **Lu'ay Abu-Haikal** was hit by a rubber-coated bullet while covering clashes between Israeli troops and Palestinian demonstrators in Hebron. He was treated at the Hebron hospital.

Six journalists arrested

On 24 April 2001 in Nablus, **Ruba Al-Najar**, journalist, **Jaghoub Jaghoub**, cameraman, **Bilal Aburish**, production assistant and **Samir Abid Rabbo**, sound engineer, all with the Palestinian public channel *Palestinian Broadcasting Corporation (PBC)*, were arrested by Israeli soldiers while doing a report. An officer accused them of filming Israeli military positions and vehicles. After taking the journalists to the Karne Shermon colony, the soldiers blindfolded them and their driver, Hussein Al Gharnaoui, and interrogated them. After eight hours in detention, Ruba Al-Najar, Jaghoub Jaghoub, Bilal Aburish and Samir Abid Rabbo were released. Their driver was kept in detention under the pretext that he was involved in "hostile activities".

On 30 October **Maurizio Giuliano**, freelance journalist, crossed the Allenby bridge between Jordan and the Occupied Territories. He was arrested at the Israeli checkpoint and manhandled by a policeman. He was then detained for several hours on the Jordanian side.

Fourteen journalists assaulted

Hossam Abou Alan, photographer for *Agence France-Presse*, **Mazen Dana**, cameraman with *Reuters*, and **Nael Shiyoukhi**, boom operator for the same agency, were covering the Jewish carnival on 10 March 2001 in Hebron when they were set on by Jewish settlers.

On 29 July, during clashes on Temple Mount, nine journalists, **Nasser Atta** (*ABC News*), **Rachid Safadi** (*Al Jazira*), **Atta Awassat** (*Yedihot Aharonot*), **Fatem Awalan** (*Nile TV*), **Gevara Bouderi** (*Al Jazira*), **Mahfuz Abu Turk** (freelance journalist working mainly for *Reuters*), **Muna Qawasmi** (*Al Ayyam*), **Amar Awad** (*Reuters*) and **Nasser Abdel Jawad** (cameraman), found themselves facing hundreds of policemen after the demonstrators had fled. The police set on them with truncheons. Atta Awassat was hit with the butt of a rifle.

On 13 August **Tarek Abdel Jaber** and **Abdel Nasser Abdoun**, respectively journalist and cameraman for Egyptian state television, were attacked by an Israeli soldier at the Qalandia bridge. The soldier hit Abdel Nasser Abdoun in the face and then in the groin. The journalist was taken to the Makased hospital in Jerusalem. The Israeli soldier was sentenced to 21 days in jail and prohibited from having command.

Pressure and obstruction

On 8 March 2001 in Gaza, **Christine Hauser**, **Ahmed Bahadou** and **Suhaib Salem**, journalists with *Reuters*, were shot at by Tsahal soldiers. The three journalists wanted to take photos and film Israeli military equipment in Netzarim. The spokesperson of the Israeli army, Olivier Rafowicz, commented that "due to the very tense situation in Gaza, civilians are not allowed near Israeli defence force posts".

In early May the head of the army education department, General Eliezer Stern, ordered the suspension of the Israeli army weekly for several weeks. An article published in the most recent issue had described a homosexual reserve colonel.

On 1 August a group of Palestinian journalists was stopped at a roadblock at the entrance to Nablus. The next day an *ANN (Arab News Network)* crew was held up for two hours at the same roadblock. **Mohamad Al-Sayed**, journalist, **Ahmed Al-Asi**, cameraman, and their driver were insulted after Mohamad Al-Sayed (an Israeli Arab) refused to interpret for the Israeli soldiers.

The armoured car of **Elizabeth Dalziel** of *Associated Press* was hit by bullets on 5 October during a shootout between Israeli soldiers and Palestinians in Hebron. A bullet hit the windscreen of the

vehicle which was clearly marked "TV" and "Press". As the journalist tried to flee, at least five other bullets hit her car, with one puncturing a tyre. The Israeli army announced the next day that it was investigating the origin of the shots. In early 2002 the results of the inquiry have still not been made public.

In the autumn, **Ziad Abou Ziad**, Palestinian member of parliament and director of the magazine *Palestine–Israel Journal* (edited jointly by Israelis and Palestinians) was prevented from going to Jerusalem where the head office of his magazine is situated.

On 13 December the Israeli army destroyed the Palestinian radio and television transmission centre in Ramallah by dynamiting the main broadcasting antenna. In the evening of 12 December Palestinian radio and television were already out of order due to bombings. These official media were consequently forced to use the antennae of privately-owned media to broadcast their programmes.

On 18 December the Israeli government press office (GPO) reported its intention not to renew the press cards of Palestinian journalists working for foreign media. Instead they are to be issued with a "special assistant" orange card which will be valid only for the territories and will not automatically allow them access to Israel. The Israeli authorities justified this measure by stating that Palestinian journalists "disseminate propaganda and do not meet journalistic standards for balanced coverage". According to the GPO, 500-600 Palestinian journalists currently have a press card.

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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: FREEDOM OF EXPRESSION

Written statement* submitted by the Reporters sans frontières international, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 January 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 0 0 2 0 2 1 0 8 0 4 *

ENG

BELARUS: Brutal repression against the independent press

Government authorities are using every means available to silence the country's independent print media: seizures, closings of printing houses, confiscation of equipment, threats to shut down media outlets, assaults, and intimidation. President Aleksander Lukashenko is one of the thirty-nine predators threatening freedom of the press to have been denounced by Reporters without Borders.

The Belarus presidential election of September 9, 2001 was preceded by eight months of censorship of every independent news source in a country in which freedom of the press is already non-existent, and in which all of the audiovisual media are controlled by the government. The State's printing, distribution, and advertising monopoly poses a constant threat to independent newspapers. The ten leading independent newspapers are systematically harassed, and their journalists threatened. New decrees designed to restrict the right to demonstrate, and foreign aid to non-governmental organizations (NGOs), primarily target opposition media. Any publication of statements or communiqués made by any political parties or human rights' organizations not registered with the Ministry of Justice is prohibited. In December 2000, prior to the start of the electoral year, the country's postal services had raised distribution fees charged to independent periodicals from 400 to 600%, while publications controlled by the State benefited, at that time, from reduced rates.

In June, two former members of the Belarus public prosecutor's office affirmed that they possessed evidence directly implicating the government in the disappearance, in July 2000, of cameraman Dmitri Zavadsky. They accuse the Prosecutor General, Viktor Sheyman, and Deputy Chief of the Presidential Administration, Yuri Sivakov, of having formed a "death squad" in 1996, when they occupied the positions, respectively, of State Secretary of the Security Council and Minister of the Interior. Initially, this group was allegedly directed to murder mafia leaders before being entrusted with more "political" assignments. The two top officials of the public prosecutor's office also asserted that the group's complicity in the disappearance of the journalist, Zavadsky, could be proven by a DNA analysis of a blood stain found in the trunk of a vehicle belonging to one of the alleged members of the group. Cameraman Dmitri Zavadsky disappeared on July 7, 2000, at the Minsk airport, where he was assigned to welcome, after he landed, Pavel Sheremet, Minsk bureau chief for the Russian ORT network. His vehicle was found in the airport's parking lot. In 1996, Dmitri Zavadsky had left the State television organization to work for ORT against the wishes of the Belarus authorities. This journalist, who was the President's former personal cameraman, had been imprisoned along with a colleague from ORT for two months in 1997, following a news report about the deficiencies of Belarus' security measures along the Belarus-Lithuania border.

Journalist incarcerated

On June 12, 2001, Valery Schukin, a freelance journalist working primarily for the *Tovarisch* and *Narodnya Volya* newspapers, was incarcerated in a Minsk prison. On March 15, 2001, he had been sentenced to three months' imprisonment for "vandalism," after having attempted to attend a press conference given by the Minister of the Interior concerning the disappearances of several prominent members of the opposition. Only State-controlled media journalists had been permitted to obtain official accreditation. Despite this restriction, Valery Schukin had come to the press conference, where he was violently assaulted by one of the guards working on behalf of the Minister of the Interior, then transferred to a hospital.

Pressures and Constraints

On January 9, 2001, equipment in a printing house owned by the Magic publishing company—the country's only private publisher, which prints most of the country's independent

newspapers, including *Belarusskaya Delovaya Gazeta*, *Nasha Svaboda* and *Narodnya Volya*—was seized by police acting on the order of the tax administration, for "delinquent taxes." The facility's owner stated that the value of the seized equipment was four times greater than the amount of the debt. The printing concern was left with only one press.

On January 19, the general prosecutor's office brought a suit against the newspaper, *Nasha Svaboda* ("Our Freedom"), for "a libelous attack against the President." On January 12, the newspaper had published an article by psychiatrist Dmitri Schiguelski about President Aleksander Lukashenko's mental health, suggesting that he was suffering from a mental disorder, with paranoid tendencies.

In early February, the editorial staff of the independent newspaper *Brestski Kurier* ("The Brest Courier") received a "warning" from the State Press Committee (three warnings result in the forced closing of a media outlet), for having circulated information about political parties, trade unions, and other unauthorized groups. *Brestski Kurier* is one of the most commercially successful independent regional newspapers.

Also in early February, the independent newspaper *Belarusskaya Delovaya Gazeta* was issued a "warning" by the State Press Committee for having violated the confidentiality of an official inquiry in an article about the investigation led by agents of the special "Almaz" subdivision, who were suspected of having played a part in the disappearance of Russian ORT television network's correspondent Dmitri Zavadsky, in July 2000.

On March 2, customs officers seized 745 copies of the *Belarusskaya Vedamasti* newspaper because it was said that it represents a "danger to the political regime" of Belarus.

On March 2, 11, 15 and 30, some vendors of the independent newspaper, *Nasha Svaboda*, were questioned and harassed by the police.

On March 16, police officers searched the premises of the *Borisovskie Novosti* newspaper, and of the Center for Human Rights, in Borisov.
In March, some equipment was stolen from the *De Facto* independent newspaper's copy room, in Mogilev. The paper was forced to suspend operations.

On March 25, Dmitri Yegorov, a young reporter/photographer working for the independent regional newspaper *Birzha Informacji* was questioned and held for several hours in a police car in the city of Grodno (in the western part of the country), just prior to a demonstration organized by the opposition. The journalist was hit, threatened, and warned that it "would not be in his best interest to write any articles about this questioning." He was then taken to a prison to show him "where journalists can be jailed," after which he was released. The journalist was hospitalized for ten days as a result of his beating.

On July 12, police seized equipment from the independent newspaper *Volny Grad*.

On July 19, police confiscated some equipment from the *Belaruskiy Uschod* newspaper.
On July 25, computer equipment used by the editorial staff of the daily newspaper *Dyen* was put totally out of commission during a burglary. No trace of infraction was found, even though the premises were being guarded by police. A previous burglary of *Dyen* offices on July 17 had prevented the publication of a special issue devoted to the unexplained disappearances of several opposition leaders.

On August 1, the *Dyen* newspaper was banned from printing the paper in the official state Press Center—a State-controlled printing facility. The daily was sanctioned for "incorrectly

interpreting" a decision made by the State Press Committee.

On August 8, the *Pahonya* editorial staff was informed by the secret service (KGB) that their offices might be closed down.

On August 14, equipment belonging to the *Kutseyna* newspaper was confiscated by police.

On August 17, agents of the Minister of the Interior confiscated nearly all copies of the print run produced by the *Nasha Svaboda* daily, whose edition that day included several articles critical of the government, and information about the campaign of the opposition's candidate, Vladimir Goncharik.

On August 22, the Magic printing house's equipment was seized again, and its bank account frozen.

On August 22, ten computers used by the *Narodnya Volya* newspaper's editorial staff were seized by police at the request of tax authorities.

On August 23, one computer used by the editorial staff of the daily newspaper, *Nasha Svaboda*, was confiscated by police for non-compliance with tax laws.

On August 24, the newspaper *Svabodniye Novosti* received a warning from the State Press Committee for "disseminating false information."

On August 28, the Minsk public prosecutor's office ordered that the printing of the *Rabochy* daily edition be halted, and instituted proceedings against it for slurring the President. On that same day, the police seized close to 40,000 copies of the daily, as "exhibits." The authorities sought to prevent circulation of an article entitled: "The Thief Should Be in Jail!" exposing the corruption of senior government officials.

On September 4, President Aleksander Lukashenko declared during an electoral meeting: "Lately, we have been relaxing our control of the media a little, leaving them to their own devices. We must be patient. If we silence them now, they will take full advantage of it. We will settle our accounts with them later (...). There are 250 foreign journalists here for the elections. They have come to harass our country. I just want to get through this period without incident."

On November 13, the Supreme Court ordered the independent weekly *Pahonya* to be shut down for making libelous statements against President Lukashenko, after an article questioned the role the President may have played in the disappearance of some of his opponents. On December 13, Mikola Markevich, *Pahonya*'s editor in chief, was fined for having organized a demonstration, on November 19, to protest the newspaper's closing. He decided not to appeal, because "the Belarus courts serve the interests of one person, not those of society."

On November 19, the public prosecutor's office brought a civil-libel suit against Iosif Syaredzich, editor in chief of the newspaper *Narodnya Volya*, on the grounds that he had published a statement made on September 5 by the opposition's candidate in the presidential elections, Uladzimir Hancharik, accusing the government of tampering with electoral ballots.

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GE. * 0 0 2 0 2 0 1 0 8 0 7 *

ENG

UZBEKISTAN: No free media allowed by this new ally of the Antiterrorist Coalition

No independent news sources are tolerated in Uzbekistan. State services constantly use tactics such as imprisonment, assault, and pressure on family members, against any journalists who violate this ban. President Islam Karimov is one of the thirty-nine predators threatening freedom of the press to have been denounced by Reporters Without Borders.

The fight against Islam and terrorism is systematically invoked by President Karimov's regime as justification for the brutal suppression of any independent news source. In a country where all information is issued and validated by the State, the press is prohibited from commenting about the existence of any opposition, criminality, corruption, or of any issues related to the respect of freedom, individual rights, and minorities (especially the Uigurs). One of the very few local television networks to have demonstrated a certain degree of editorial independence—the ALC-TV station in Urgench—periodically prohibited from broadcasting since 1995, was definitively shut down in July 2001.
Journalists who were in Uzbekistan in early October to cover the airstrikes against Afghanistan were systematically denied permission to access military sites or frontier posts, often after a waiting period of several days. Until November 25, the journalists were also refused the right to cross the border bridge that links the country with Afghanistan.

Two Incarcerated Journalists

Shadi Mardiev is still incarcerated in the region of Navoi (west of Samarkand), in the Kizil-tepa city prison where he has been held since 1998. The Tashkent Court of Appeal sentenced him to eleven years in prison on August 3, 1998, for "defamation" and "attempted extortion of funds." The journalist had been charged on November 1997, after a radio broadcast in which he exposed the embezzlements committed by Samarkand's Deputy Prosecutor. Shadi Mardiev directed the radio program "Man and Law," known for its criticism of public officials, on the regional public radio station of Samarkand (in the southern part of the country). His sentence was cut in half following the Presidential decrees of April 30, 1999 and August 28, 2000. The journalist, who has suffered two successive strokes, remains in a very critical condition.
Iusuf Ruzimuradov is still in prison, where he is serving an eight-year term. The journalist was sentenced on August 18, 1999 for seeking to "overturn the government by force," "participating in an illegal organization," and for committing "slander by the press" against the country's president—an offense punishable under Article 158.3 of the Penal Code. Iusuf Ruzimuradov was editor in chief of *Erk*, the last opposition newspaper to be published in the country until it was closed down by the authorities in 1993. Violent threats were made against members of his family, and torture and psychological incentives were used to obtain his confession.

Two Journalists Threatened

On June 16, 2001, **Asadulla Ortikov**, a former journalist with *Ozodlik* radio (Uzbek service of *Radio Liberty*), and frequent contributor to the *Harakat* journal, was interrogated by the Department of Internal Affairs (DDIA) of the district of Yakabadskiy (in the Kashkadar'ya region). During the interrogation, the head of the DDIA demanded that the journalist stop criticizing the government in his articles. Sometime later, the journalist was forced to leave the Kashkadar'ya region for Tashkent because of the multiple threats made against his family.

On July 12, 2001, **Ruslan Sharipov**, press correspondent for the Russian Prima press agency, President of the Union of Independent Journalists of Uzbekistan, and an Internet website host, was hunted down by employees of the National Security Service (NSS) while he was on his way to the Tashkent courthouse to cover a trial. His assailants were about to hit him when

some passers-by intervened. The journalist managed to take refuge in the local head office of the Organization for Security and Cooperation in Europe (OSCE). He had published, in late August, a series of articles denouncing the repression of the country's Muslims. Moreover, he was investigating the suspicious death of some political opponents. On August 31, Ruslan Sharipov was questioned by NSS agents on the grounds that he was involved in the activities of a terrorist group. Secret service agents pressured some of his relatives. His mother, brother, and one of his cousins were interrogated and threatened. In an open letter to the Uzbek President, Ruslan Sharipov demanded that the President order his Security Service to stop following him and menacing his family, and to allow him to carry on his work as an independent journalist.

Pressures and Constraints

In April 2001, the government took over the transmitter of the ALC-TV television station in Urgench (in the northern part of the country), which had been sanctioned by regional authorities four times since 1995. The station's director, **Shukhrat Babajanov,** resolved to end the station's broadcasting in July 2001.

In May, the authorities ordered the periodical *Oina*, a Tajik-language newspaper for young readers, to cease publication after its editorial staff criticized Samarkand municipal and regional authorities.

On May 17, fifteen militia officers visited the home of the sister of **Jahangir Mamatov**, a former *Erk* journalist who had taken up refuge in the United States, where he contributes to *Voice of America* Uzbek-language broadcasts. The police allegedly planted a packet of drugs in the apartment. Jahangir Mamatov's mother and sister were charged in an obvious attempt to exert pressure on him.

On July 6, **Alo Hodjaev**, *Tashkentskaya Pravda*'s editor in chief, in response to certain pressures, was forced to abandon his plan to introduce a free-speech column in the newspaper. In his opinion, "*Tashkentskaya Pravda* was the last fruit on a tree that can be cut down."

On July 9, the Tashkent Public Prosecutor instituted an action against **Shukhrat Babadjanov**, well-known journalist and ex-director of the independent television station, ALC-TV, shut down by the authorities. He was accused of having falsified a ten-year-old reference letter written when he joined the Uzbekistan Artists Union (UAU). On August 6, the journalist fled the country.

Until November 25, foreign journalists in Termez, on the Uzbek-Afghan frontier, were prevented from crossing the border near the bridge spanning the Amu-Daria River. Dozens of humanitarian organization members, as well as representatives of numerous international media, were denied permission to cross the border bridge into Afghanistan to reach the city of Mazar-i-Charif. On November 25, Uzbek authorities finally authorized the journalists to enter Afghanistan by crossing the Amu-Daria River on barges. The border bridge has been officially closed since 1997.

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GE. *0020108 10*

ENG

ERITREA: the only African country without private press

From September 2001, Eritrea turned out to be the country that most stifled free press in the whole of the African continent. There is no independent press anymore and the country,s quasi-totality of journalists are either languishing in jail or in exile. Eritrean journalists in the diaspora are organising themselves to re-launch their newspapers from abroad.

Eritrean President Issaias Afwerki is listed by the RSF as one of the "predators" of free press in the world, among many others.

On 18 September 2001, the government ordered the closure of all private titles, thus making Eritrea one of the rare countries without an independent press in the world. To comply with the government,s decision, private newspapers announced that day that they were publishing their last edition, until further notice. The following day, no private newspaper came out. The director of public media went on air to explain that "the private media had all the time to correct their mistakes. They jeopardised national unity."

The suspension sine die of the private press occurred concomitantly with the arrest in Asmara of seven former ministers and generals, themselves historic leaders of the Eritrean People,s Liberation Front (EPLF), now in power, because they dared to criticise President Afwerki. They were part of the fifteen (15) officials who, in May 2001, publicly called on the head of state to restore a democratic rule in the country. They also accused him of often acting in an "unconstitutional" manner.

Between 18 and 21 September 2001, at least eight journalists working for independent publications were arrested by the police and taken to the so-called "N0 1 Police Station" in Asmara. Other journalists,homes were also raided by the police. The exact motive for these arrests was not made public.

The eight arrested journalist were, Yusuf Mohamed Ali, editor-in-chief of the daily *Tsigenay*, who was already jailed for several weeks in October 2002; Mattewos Habteab, editor-in-chief of *Megaleh*, arrested several times in 2000 and 2001; Medhanie haile and Temesgen Gebreyesus, deputy editor and administrative council member of *Keste Debena* rspectively; Emanuel Asrat, editor-in-chief of *Zemen;* David Isaac and Tsehaye Yohannes of the *Setit* newspaper and Seyoum Fsehaye, a freelance photographer.

Moreover, many other journalists simply disappeared, but as it turned out that they have been arrested by the police as well. Among them, Zemenfes Haile former editor and founder of the daily *Tsigenay*, who has been jailed for more than two years. Aged 30, Haile spent more than a year in the Zara detention camp and is stili detained somewhere in the Lowland regions (in the western part of the country).

At the end, many journalists had to flee the country. Milkias Mihretab, editor of *Keste Debena*, and one of his reporters Semere Teazaz, took refuge in Sudan, then to the United States. Milkias Mihretab was detained in deplorable appalling conditions at the end of 2000.

At the end of September, the situation took another dimension ˆ in fact an international dimension when the government ordered the Italian Ambassador to leave the country within 72 hours. This decision was taken as a result of protests by the European Union following the arrest of many opposition leaders and journalists and the crack down on the independent press. The ambassador left Eritrea on 2 October. The Belgian presidency of the EU immediately announced that the expulsion would lead to a "re-examination of its relations with Eritrea in

the light the Cotonou agreement". This convention conditions the economic aid given to developing countries on the basis of respect for human rights. On 8 October, all EU countries decided to recall all their ambassadors. Some days later, the Dutch government announced that it had frozen its economic aid to Eritrea.

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GE. *200201081 3*
ENG

ZIMBABWE: The independent press harassed

In 2001, Zimbabwe became one of the country that most stifled free press in the whole of African continent. Twenty (20) local journalists were arrested and three foreign correspondents were expulsed from the country. The President and the government in Harare are harassing both local and foreign journalists with impunity. There are continuous threats and arrests, and the independent press is finding it more and more difficult to play its role of informing public opinion. President Robert Mugabe is listed by RSF as one of the thirty nine (39) "predators" of press freedom in the world.

Throughout the year 2001, the president and his government uttered shocking comments against the press. In September for instance, the Minister for Communication Jonathan Moyo accused the *BBC* and the British dailies, The Guardian and the Daily Telegraph of "working for British intelligence services". He added that "in the interest of law and order, competent authorities will crack down on some well known individuals in order to curb the law of the jungle they are trying to create in the country through the media."

The *Daily News*, the only independent daily paper in the country has been subjected to real harassment by the authorities. Its editor, Geoffrey Nyarota has been arrested several times in the course of the year. The government and the ruling party, the Zimbabwe African National Union-Patriotic Front (ZANU-PF) launched a series of law suits against the paper, demanding huge compensation "for damages caused by the paper" aimed at stifling. The harsh economic situation and the violence pitting white farmers against war veterans have only helped the government to step up its repression against the most critical newspapers in the country.

Already at the end of June, the EU ministers of foreign affairs expressed their concern about the deteriorating political situation in Zimbabwe. They called on Zimbabwean authorities to uphold the rule of law, freedom of the press and the independence of the judiciary. Days earlier, the US government accused Zimbabwean authorities of forbidding the press to report on what was really going on in the countryside.

A Bill on free access to information is now being debated in the Zimbabwean parliament. If it becomes law, it will forbid foreign journalists from working in the country. The Bill also makes it clear that all media professionals will have to be granted authorisation by a special commission to be set up by the government, before being allowed to work. The authorisation will be renewable after one year.

On the night of 27 and 28 January 2001, a bomb exploded at the premises sheltering the *Daily News*,printing offices in Southerton, a suburb of Harare. Nobody was hurt but the printing equipment was very much damaged, rendering the publication of the paper very difficult to go ahead as usual. Nobody claimed responsibility for the attack. On 22 April 2000, another bomb exploded on the ground-floor of the *Daily News*,headquarters. On 28 January 2001, hundreds of copies of the Daily News were consigned to the flames in the capital Harare, by militants of Zanu-PF, the ruling party, protesters hostile to the government also destroyed hundreds of copies of the *Herald* and *Sunday Mail*, two pro-government newspapers. On 3 February, police forbade a demonstration by journalists aimed at expressing their support for the *Daily News*, to take place.

On 17 February, Joseph Winter, a BBC correspondent in Harare received an expulsion order from immigration services on the ground that the minister for information had changed the rules governing journalits,accreditation. The following day, unidentified people tried to enter the journalist,s home, who, consequently, took refuge at a diplomat,s house. Joseph Winter,s

work permit had just been renewed and would have expired in February 2002. But the journalist found himself facing an order to leave the country within 24 hours. Mercedes Sayagues, a correspondent with the South African weekly *Mail & Guardian* was asked not to return to Zimbabwe while she was in South Africa for a two-day visit. She was refused re-entry at Harare International Airport on 17 February. At the end she was allowed to join her daughter, provided that she would leave the country within 24 hours. "What was done to me and to my daughter is illegal, unreasonable and unnecessary, but it is not worse than what is being done to the Zimbabwean people. Here is a government which is ready to trample on the rule of law, destroy the economy and violate human rights," Sayagues told AFP. On 19 February, Joseph Winter left Zimbabwe, and three days later, Mercedes Sayagues went back to South Africa.

On 14 August, at midnight, Geoffrey Nyarota, editor of *Daily news*, was arrested at his home by the police and taken to Harare central police station. The following day, three other members of the editorial team were also apprehended by the police for4 publishing an article entitled: "Police vehicles used in the farm looting". The D*aily News* contended in that report that ZANU_PF sympathisers and war veterans were using vehicles belonging to the police to loot and ransack farms belonging to the whites in the north-west of the country. The paper cited a white farmer as saying: "They stole the maize, took TV sets and any other electronic gadgets they could find and threw them into the swimming pool. The situation is terrible. Some of them are driving police cars." On the evening of 15 August, the four men were released under the orders of the High Court. They have been indicted for "publication of false information".

A week later, Basildon Peta, a correspondent for the British daily *The Independent*, revealed that his name was on the "black list" of journalists wanted by the authorities. On the 23rd, he was summoned by the police. The names of Geoffrey Nyarota, editor of the *Daily News*, Iden Wetherall, editor of the *Zimbabwe Independent*, Mark Chavunduka and Cornelius Nduna, editor-in-chief and news director of *The Standard* respectively, were also on the list. On 24 August, two UN special rapporteur, Asma Jahangir (looking into arbitrary executions) and Abid Hussain (overseeing freedom of opinion and of expression record in every country) expressed their concerns for the lives of these five journalists.

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COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 11 (c) of the provisional agenda

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: FREEDOM OF EXPRESSION

Written statement* submitted by the Reporters sans frontières international, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 January 2002]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE. * 2 0 0 2 0 1 0 8 1 6 *

ENG

Burma: 18 journalists behind bars

Burma keeps the infamous privilege of being the biggest prison worldwide for journalists. The dialogue between the military junta and the democratic opposition did not favour any significant improvement of the situation of press freedom in 2001. Censorship is stricter as ever. Despite the liberation of the journalists **Soe Thein**, in June, and **San San Nweh**, on July 18, the military junta has not emptied its jails. Even worse, some journalists, **Sein Hla Oo** in particular, have served their time and have not been freed yet. Nevertheless, since October 2000, the military junta and the national League for democracy (LND, party headed by Peace Nobel prize Aung San Suu Kyi) meet regularly and more than two thousand opponents, among whom LND members, have been released. "We have passed from the most gloomy pessimism to a careful optimism", sums up a diplomat posted in Rangoon.

Several journalists are held in conditions endangering their lives. Bad treatments are still in force in some prisons and detention centres and some journalists are suffering from serious mental diseases due to long periods of isolation. Arrested and condemned to heavy sentences for having "circulated news items hostile to the State", for owning a non-declared video-camera, for answering to the questions of a foreign journalist or for having sent information to exiled Burmese media, most of the journalists imprisoned throughout the country are also members of the LND.

Radio, television and all dailies are under the control of the military junta. Generals and other dignitaries are relentlessly front page news. The first channel, *TV Myanmar*, depends on the ministry of Information, the second one, *TV Myawady*, on the army. All dailies are state-controlled. Some sixty private magazines (weekly and monthly) called "gya-neh" are standing alongside these official media and undergo the strictest control of the censorship bureau. Some generals or their relatives own some of these publications in which we can read a jumble of "people" news, articles on international, national and economical news, reports on cultural and sport events, news items and cartoons. The private weekly *Myanmar Times* alone can afford to publish, in English, articles that censorship would not accept for publications in Burmese. Its price remains highly prohibitive to Burmese people. Censorship, threats, arrests are still the fate of journalists working for the few private media or of political militants who attest of the situation in the country. Despite these facts, lieutenant general Khin Nyunt asserts in March that press freedom is "observed at a satisfactory level". The number three of the junta asks governmental newspapers to improve their quality in order to attract new readers. And he renews his warnings to those who "would attempt to publish news items likely to affect the population".

The foreign press is not treated any better. "As soon as there is an event in Burma, we are systematically refused a press visa. We normally get a one-week visa at best" testifies a journalist for a western press agency based in Bangkok. For now ten years, foreign journalists have been trying to bypass the drastic controls imposed by the army in power in Rangoon. Ten or so are on a list of people barred from staying in the country. Some were even expulsed by force before appearing on that list, which gathers among others reporters for the radio *Voice of America*, the weekly *Far Eastern Economic Review*, French dailies *Le Monde* and *Libération*, the newspaper *New York Times*, *BBC* radio or television channel *France 2*. The scarce reporters who still try to cover Burma, do it with a tourist visa while avoiding to draw the attention of omnipresent MiS (secret service). Foreign journalists are regularly accused of being "enemies to the country" and "neo-colonialists". However, in April, in the official daily *The New Light of Myanmar*, western journalists were labelled as "fifth column of the old neo-colonialism". On the other hand, on January 13, for the first time in many years, State newspapers did not publish scathing attacks on Peace Nobel Prize, Aung San Suu Kyi. A few days later, junta generals are said to have ordered that articles insulting the opposition leader be ended following a request from ONU emissary Razali Ismail.

The only news items in Burmese that are not yet subjected to censorship are those broadcast by international radios. *BBC*, *Voice of America (VOA)*, *Radio Free Asia (RFA)* and *Democratic Voice of Burma* are very widely listened to in the country.

But in 2001, still under sanction order by the European union and the United States the Burmese junta seems to have grown aware of how important it is to look like "a more open regime" in front of the world. This year, advised by their Asian friends, Malaysia in particular, the Burmese army authorised a new radio station to be launched on FM bands with "light and entertaining programs". In July, the authorities also announced that a television channel by satellite was launched in English supposedly to show the "true image of lifestyle in the country". At last, In September, the military junta announces that once again licences for satellite antenna would be granted. It was not possible since 1993, except for hotels designed for tourists and for some public services.

Eighteen journalists imprisoned

On 1st January 2002, at least eighteen journalists are imprisoned in Burma: Aung Pwint, Kyi Tin Oo, Ko Sein Ohn, Khin Aye Kyu, Myint Thein, Yan Aung Soe, Thaung Tun, Win Tin, Sein Hlaing, Myo Myint Nyein, Ohn Kyaing, Sein Hla Oo, Khin Maung Win (Sunny), Tha Ban, Aung Zin Min, Thein Tan, Cho Seint and Aung Myint.

Win Tin was arrested on 4th July 1989 and held in custody at the prison of Insein. Successively sentenced to three (October 1989), ten (June 1992) and seven years (March 1996) imprisonment, he is serving a sentence of twenty-years imprisonment on the whole. The minutes of his third condemnation stipulates that Win Tin has "secretly published anti-governmental propaganda " in prison. He is presently held in the special block, cell 10, of the prison of Insein. But his utterly weak health compels the authorities to transfer him regularly to the prison hospital. During these twelve years of detention, among other things the journalist suffered from two heart attacks, a slipped disk and underwent two surgeries. Due to bad conditions of detention he also lost most of his teeth and for several months, the authorities refused to provide him with dentures. Former chief editor of the newspaper *Hanthawathi*, author of many articles against the regime and Aung San Suu Kyi's close advisor, seventy-one-year Win Tin refused several times to sign a letter of resignation for the LND in exchange for his freedom. He is admired by political prisoners and called Saya (wise) by Aung San Suu Kyi and LND militants. According to a former political prisoner, he never stopped withstanding pacifically powers' orders and has many political conversations with cellmates. He is the one who completed the document secretly addressed to the special rapporteur of the United Nations. on detention conditions at Insein. In 1995, while he was held in one of the kennels of the prison, Win Tin pronounced a speech to celebrate Burma national day.

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ENG

China: Stiffening of censorship

As a critical congress of the communist party planned for 2003 is drawing near, the regime of Beijing has started a purge in the media: at least five chief editors were sanctioned and twelve media censored. At the same time, the police was arresting sixteen cyber dissidents. Foreign journalists are still hampered from covering sensitive topics.

On 11 January 2001, Chinese president Jiang Zemin affirms that "information media are the loudspeakers of the Party and the people" and they have a duty "to educate and propagate the spirit of the Central Party's committee". According to him, the department of "publicity" (the former propaganda department) of the Chinese Communist Party is the one to secure observance of that discipline. During the weeks following these declarations, new instructions were addressed to the editors of the main media, to concentrate on the coverage of "positive events". And sanctions are falling without any warning. What is at stake in that purge is two-fold: avoid criticisms as Jiang Zemin's departure from presidency is drawing near, and restructure the press to rule out the too independent provincial media.

Fortunately, this control tightening did not lead to a wave of journalist arrests. Although some of them prove to be bold while testing regularly censorship limits on sensitive topics. More than once, the editorial staff have overridden the Party's instructions by covering accidents such as explosions in a mine or a school without any authorisations. On the other hand, the police concentrated on the control over "subversive activities" on the Internet. No less than sixteen cyber-dissidents were arrested in 2001. On 1st January 2002, at least fourteen journalists are still rotting in prison1989. Four of them have been imprisoned since the crackdown of Beijing in the spring of 1989,.

In 2001, the wave battle continued between the Chinese government and international radios broadcasting in Mandarin, Tibetan or Uighur. Despite frequent jamming, programs in Ouighour through *Voice of America* (VOA), *Radio Free Asia* (RFA) and *Radio Almaty* (based in Kazakhstan) are much listened to by the population of Xinjiang. In October, *RFA* passed from one to two broadcasting hours per day. Programmes in Tibetan broadcast by *Voice of Tibet*, *VOA*, *BBC* and *RFA* became the target of the authorities who spread out huge means to make them inaudible. Foreign radios are still a real "breath of fresh air" for Uighur and Tibetans. The auditors are conscious of the risks they are taking and most of the time, they chose to listen to them secretly. "We never have news about Xinjiang on television nor on the national radio. Just songs, dances and political propaganda. We are bombarded with governmental political opinions. It is useful to listen to diverging opinions on free radios", attests an Uighur. On the other hand, in March, the official agency *Xinhua* asserts that " infiltration by hostile foreign radios is becoming more and more dangerous".

In Tibet, instructions are strictly applied. Thus, in November 2001, the propaganda official of the province reminds that "at all administrative levels, the Party's newspapers must be read and studied". In Inner Mongolia, control is also very strict. Thus, the authorities are still banning the publication of dissident magazine *The Voice of Southern Mongolia* banned in 1995.

In 2001, the Chinese government has displayed again its determination to prevent the foreign press from covering sensitive topics. Thus, the Chinese communist Party denies foreign correspondents of the right to investigate freely on dissidence, illegal religious movements corruption, AIDS in the province of Henan, natural disasters, Tibetan and Uighur separatists. According to the rules imposed by the regime of Beijing, foreign journalists must ask ahead of time for an authorisation to leave the capital to the ministry of Foreign Affairs. Once in a

province, They are placed under the control, often very strict, of the local representatives of the ministry.

Impunity in the case of a murdered journalist

On January 15th 2001, Feng Zhaoxia, journalist for the daily *Gejie Daobao*, published in the town of Xi'an (province of the Shanxi), is found dead, his throat deeply slit. One week after the body was discovered, the police decided on a suicide despite assertions to the contrary by the family, his colleagues and local associations of journalists. According to them, it is a murder connected to some articles the journalist had published. According to Guangzhou daily, *Yangcheng Wanbao*, and Hong Kong newspaper, *Ming Pao*, Feng Zhaoxia had investigated into the activities of a local Mafia-like group and had denounced complicities between these groups and some authorities. According to his wife, Feng Zhaoxia, 48 years old and father of two children, had no reason to commit suicide. On the eve of his disappearance, the journalist had received a phone call. He left his home and never came back. Moreover, the corpse had deep gashes at the throat and it was very unlikely that the victim might have slashed himself that way. The journalist 's family and colleagues, indignant at the police hasty conclusions, have been asking several times that the dossier be re-opened and that a serious investigation be carried out. Moreover, a few days after the crime, the public department of information of the province prohibited that new articles be published about the death of the journalist.

Fourteen journalists jailed in China

Yu Dongyue, Hu Liping, Chen Yanbin, Zhang Yafei, Liu Jingsheng, Ma Tao, Wu Shishen, Tenpa Kelsang, Wang Yiliang, Qi Yanchen, Ngawang Choephel and Lu Wanbin.

Two journalists imprisoned for having investigated on corruption among communist Party's officials

Gao Qinrong, journalist for *Xinhua* agency in the province of Shanxi, was arrested on 4th December 1998 and sentenced to thirteen-year imprisonment for "corruption", "embezzlement and "immoral earning", thanks to perjuries. Actually, the local authorities blame him for having revealed the failure of a great irrigation project to be imputed to the provincial official of the communist Party. According to the testimony of Gao Qinrong's wife, Duan Maoying, in November 2001, the journalist imprisoned "has grown really weak. He lost his hair. He cannot write anymore because his hand shake too much". Duan is only authorised to visit him once a month. On 9th September 2001, Gao Qinrong had a letter sent to Mary Robinson, High commissioner for human rights at the United Nations in which he asks her to approach the Chinese authorities in his favour. Despite this initiative, Gao affirms that the authorities did not pay attention to his case and that Huang Youquan, High official for the Party in the Shanxi, is protected by some members of the central Committee in Beijing, Hu Fuguo in particular, former Party official of Shanxi. On 8 December 2001, it is Duan Maoying's turn to address president Jiang Zemin and the Prime minister, on the occasion the journalists' day (official celebration for the profession). The journalist's wife asserts that the supreme Court, the central discipline commission of the Party, local and national press representatives, refuse to support Gao's case. Only a few courageous Chinese journalists, from weekly *Nanfang Zhoumo* in particular, have published articles on the journalist imprisoned, but they have been fired since then. "everybody is frightened for there is a lot of pressure from above", concludes Duan who came to Beijing to defend the case of her husband. She asserts she has spent one hundred thousand yuans (more than ten thousand euros) to lead this campaign for the liberation of her husband.

On September 5, Jiang Weiping, officer of daily *Wen Wei Po's* offices (published in Hong Kong) in Dalian (province of Liaoning), is judged most secretly by Dalian intermediary Court. His relatives are not authorised to attend the audience nor to visit him at the town prison. The

sentence will only be brought in at the beginning of November: Jiang Weiping is sentenced to nine year-imprisonment for "disclosure of State secrets", "attempt to overthrow State power" and " illegal detention of confidential documents". He was arrested on 5 December 2000 and is held in the prison of Dalian, in the province of Liaoning. The justice blames the journalist for having published a series of four articles in Hong Kong magazine *Qianshao*, on the corruption of high officials of Northern China. These articles were particularly implicating the governor of the province of Liaoning, Bo Xilai, son of the Chinese communist Party veteran Bo Yibo. Ma Xiangdong, former vice mayor of Shenyang, sentenced to death for corruption, was also targeted by Jiang's investigations. According to the journalist, Ma had embezzled more than three millions euros to gamble in the casinos of Macao. At last, Jiang affirmed in one of his articles that Qian Duhua, mayor of Daqing (province of Heilongjian), was using public funds to purchase apartments for his 29 mistresses.